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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/240,509 01/29/99 KALVA

H AP31569

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NEW YORK NY 10112

TM02/1002

EXAMINER

PRIETO, B

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 10/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/240,509

Applicant(s)

KALVA ET AL.

Examiner

B. PRIETO

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 103

1 The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods et. al. (Woods) Wired for Speed: Efficient Routes on VRML 2.0.

Regarding claims 8 and 1, Woods teaches features of invention substantially as claimed; Woods teaches a system/method supporting communicating command information between a world creator (server or content creator) and a player VRML browser (client) in an interactive communication system (introduction-section), comprising: means for generating (firing) a command message (command route) associated with a user action or system event associated with streams containing scene description information (e.g. scene source nodes, etc.), command message including a command (e.g. event fields, see sections 1.1-2.2, command routes, section 4.1 commands, i.e. execute fields), a command descriptor (integer identifier, see section 4.1), and one of a server route (command routes-rendering scene means, section 2.2-2.3) and a command node (execute event sink field i.e. command route node, see 2.1 and 4.1); and transmitting the command message upon occurrence of a user or system triggering event (e.g. Touchsensor, Timesensor, etc., see 2.1 section, user or system events, see 2.2, source/sink route, user or system triggering event), however Woods does not explicitly teaches a server; Woods teaches a "world content creator" (content provider) interacting with said client (browser) supporting interactive communication, as discussed above; It would have been obvious to one ordinary skilled in the art at the time the invention was made to utilize Woods teachings to implement the server entity

providing the same functionalities as claimed, motivation would be to provide a robust designing got efficient handling of network routes and events, as taught by Woods.

Regarding claims 2-3, however Woods does not explicitly teach wherein said the generating command message, discussed above is consistent with local interactivity model defined in MPEG-4. Admittance of prior art (MPEP § 2129) Applicant disclosure states: "MPEG-4 essentially uses two modes of interactivity: local and remote. Local interactivity can be fully implemented using the native event architecture of *MPEG-4 interactivity can be fully implemented using the native event architecture of MPEG-4 BIFS (Binary Format for Scenes)*, which is based on the *VRML 2.0 ROUTEs design* and documented in Part 1 of the MPEG-4 specification (Systems), see page 1, lines 26-33. It would have been obvious to one ordinary skilled in the art at the time the invention was made to utilize an interactivity model defined in MPEG-4, the new VRML 2.0 specification, enables much more dynamic and interactive environments supported by the convergence of these technologies; motivation would be to provide via MPEG-4 a real service on desktop application enhancing the tele-presence and shared virtual reality space technology (see Ref A).

Regarding claims 4-5. The method in accordance with claim 1, wherein the triggering event is a mouse click and wherein the triggering event is a timer signal (Woods, see 2.1 section).

Regarding claims 6-7. The method in accordance with claim 1, wherein command information is transmitted from the server to the client and wherein command information is transmitted from the client to the server (Woods, message between a world creator (server or content creator) and a player VRML browser (client), request/response, see 2.1-2.3, request e.g. change state of current scene, response update and rendering requested scene)

Regarding claims 9-14, the claim comprise the system in accordance to the method disclosed on claims 1-7, respectively same rationale is applicable.

Related Prior Art:

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure; pertinence is presented in accordance with to MPEP§ 707.05. Copies of documents cited will be provided as set forth in MPEP§ 707.05(a): Ref A: VRML gets real the MPEG-4, Mulroy, P. BT Labs., Ipswich, UK; Teleconferencing Futures, pages 4/1-4/4, June 17, 1997, INSPEC #5637766.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Prieto, B.** whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:30 to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **Mark H. Rinehart** can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:


(703) 305-7201 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist), further ensuring that a receipt is provided stamped "TC 2100".


B. Prieto

Patent Examiner

September 26, 2001


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PRIMARY EXAMINER